



## PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

**Agency:** Department of Agriculture

**Subject of possible rule making:**

The department is amending chapter 16-157 WAC in the following manners:

- To clarify standards and application process for operations producing and handling crops and products intended to be exported to international markets.
- To clarify requirements and application process for operations producing and handling transitional crops and products.
- Remove the organic mushroom standards from chapter 16-157 WAC.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 15.86 RCW Organic Food Products and chapter 34.05 RCW Administrative Procedure Act

**Reasons why rules on this subject may be needed and what they might accomplish:**

RCW 15.86.010 lists the purposes of the WSDA Organic Food Program which include "providing access for Washington producers, processors, and handlers to domestic and international markets."

RCW 15.86.070(1) states "the director may adopt rules establishing a program for certifying producers, processors and handlers as meeting state, national, or international standards for organic or transitional food."

Revision of 16-157 is needed to:

1. Provide further clarification for application requirements for International and Transitional certification.
2. Clarify labeling requirements
3. Remove redundancies and contradictions with the National Organic Standards by retracting the WSDA Organic Mushroom Standards.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

The USDA regulates the organic certification of products sold, represented or labeled within the United States under the National Organic Program. The USDA does not regulate organic products exported to foreign countries.

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making  
☐ Pilot rule making  
☐ Agency study

X Other (describe) Proposed rule language will be developed by the WSDA Organic Food program staff with assistance from the program's advisory committee.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact Marty Beagle, WSDA Organic Program Manager  
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**DATE**

April 20, 2010

**NAME (TYPE OR PRINT)**

Robert W. Gore

**SIGNATURE**

**TITLE**

Deputy Director

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